



Entered on Docket
January 11, 2007

Hon. Linda B. Riegle

United States Bankruptcy Judge

Lenard E. Schwartz, Nevada Bar No. 0399

Jeanette E. McPherson, Nevada Bar No. 5423

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Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

Case No. BK-S-06-10725 LBR

Case No. BK-S-06-10726 LBR

Case No. BK-S-06-10727 LBR

Case No. BK-S-06-10728 LBR

Case No. BK-S-06-10729 LBR

In re:

USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

Debtor.

Chapter 11

Jointly Administered Under

Case No. BK-S-06-10725 LBR

In re:

USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:

USA SECURITIES, LLC,

Debtor.

Affects:

☒ All Debtors

☐ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Date: December 15, 2006

Time: 9:30 a.m.

INTERIM ORDER GRANTING:

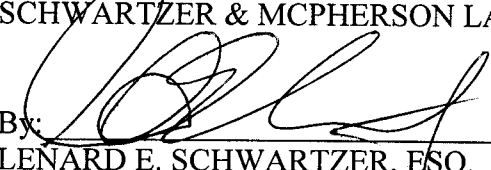
- (1) DEBTORS' MOTION FOR ORDER AUTHORIZING (I) EMPLOYMENT AND RETENTION OF MESIROW FINANCIAL INTERIM MANAGEMENT, LLC AS CRISIS MANAGERS FOR THE DEBTORS AND (II) THE DESIGNATION OF THOMAS J. ALLISON OF MESIROW FINANCIAL INTERIM MANAGEMENT, LLC AS CHIEF RESTRUCTURING OFFICER FOR THE DEBTORS AND THE EMPLOYMENT OF CERTAIN TEMPORARY EMPLOYEES;
- (2) APPLICATION BY DEBTOR AND DEBTOR-IN-POSSESSION FOR AUTHORIZATION TO RETAIN AND EMPLOY SCHWARTZER & MCPHERSON LAW FIRM AS COUNSEL UNDER GENERAL RETAINER; AND
- (3) DEBTORS' APPLICATION TO EMPLOY RAY QUINNEY & NEBEKER P.C. AS COUNSEL FOR ALL DEBTORS

The Debtors' Motion for Order Authorizing (I) the Employment and Retention of Mesirow Financial Interim Management, LLC as Crisis Managers for the Debtors, and (II) the Designation of Thomas J. Allison of Mesirow Financial Interim Management, LLC as Chief Restructuring Officer for the Debtors and the Employment of Certain Temporary Employees (the "Mesirow Application," Docket No. 6), the Application by Debtor and Debtor-In-Possession for Authorization to Retain and Employ Schwartzer & McPherson Law Firm as Counsel Under General Retainer (the "S&M Application," Docket No. 21), and the Application to Employ Ray Quinney & Nebeker P.C. as Counsel for the Debtors (the "RQN Application," Docket No. 23) (collectively, the "Employment Applications"), having come on for hearing before this Court on December 15, 2006 pursuant to the Orders previously entered by the Court (Docket Nos. 26, 474, 475, 890, 1137, and 1708); the Debtors, USA Commercial Mortgage Company, USA Securities, LLC, USA Capital Realty Advisors, LLC, USA Capital Diversified Trust Deed Fund, LLC, and USA Capital First Trust Deed Fund, LLC (collectively, "Debtors"), appearing by and through their counsel, Lenard E. Schwartzer, Esq. of Schwartzer & McPherson Law Firm; other appearances having been made upon the record; the Court having considered the objections on file and the oral objections having been made in Court; the Court having made its findings of fact and conclusions of law on the record and good cause appearing, it is hereby

ORDERED that the Employment Applications are granted through January 31, 2007; and it is further

ORDERED that the Court will consider an extension of the Employment Applications on January 31, 2007 at 9:30 a.m.

Submitted by:
RAY QUINNEY & NEBEKER P.C. and
SCHWARTZER & MCPHERSON LAW FIRM

By: 
LENARD E. SCHWARTZER, ESQ.
Attorneys for Debtor and Debtor-In-Possession

Approved / Disapproved by:
SARA L. KISTLER
ACTING UNITED STATES TRUSTEE
REGION 17

By: _____
AUGUST B. LANDIS, ASST. U.S. TRUSTEE
United States Department of Justice

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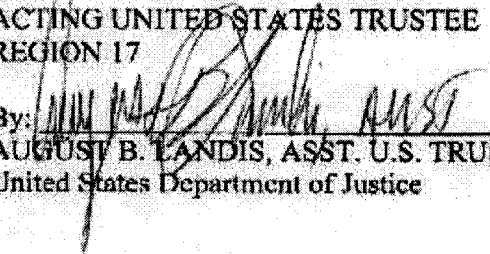
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RAY QUINNEY & NEBEKER P.C. and
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LENARD E. SCHWARTZER, ESQ.
Attorneys for Debtor and Debtor-In-Possession

Approved / Disapproved by:
SARA L. KISTLER
ACTING UNITED STATES TRUSTEE
REGION 17

By: 
AUGUST B. LANDIS, ASST. U.S. TRUSTEE
United States Department of Justice

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9 ALL DEBTORS

6 Approved/Disapproved by:
LEWIS AND ROCA, LLP

Approved/Disapproved by:
GORDON & SILVER, LTD.

8 By: /s/ Rob Charles
9 SUSAN M. FREEMAN, ESQ.
10 ROB CHARLES, ESQ.
11 *Counsel for the Official Committee of*
12 *Unsecured Creditors of USA Commercial*
13 *Mortgage Company*

By: /s/ Gregory Garman
GERALD M. GORDON, ESQ.
GREGORY E. GARMAN, ESQ.
Counsel for the Official Committee of
Holders of Executory Contract Rights of
USA Commercial Mortgage Company

12 Approved/Disapproved by:
13 ORRICK, HERRINGTON & SUTCLIFFE LLP
14 and BECKLEY SINGLETON, CHTD.

Approved/Disapproved by:
STUTMAN TREISTER & GLATT, P.C. and
SHEA & CARLYON, LTD.

15 By: _____
16 MARC A. LEVINSON, ESQ.
17 ANNE M. LORADITCH, ESQ.
18 BOB L. OLSON, ESQ.
19 *Counsel for the Official Committee of*
20 *Equity Security Holders of USA Capital*
21 *Diversified Trust Deed Fund, LLC*

By: _____
FRANK A. MEROLA, ESQ.
EVE KARASIK, ESQ.
CHRISTINE PAJAK, ESQ.
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Counsel for the Official Committee of
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SUSAN M. FREEMAN, ESQ.
ROB CHARLES, ESQ.
*Counsel for the Official Committee of
Unsecured Creditors of USA Commercial
Mortgage Company*

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GREGORY E. GARMAN, ESQ.
*Counsel for the Official Committee of
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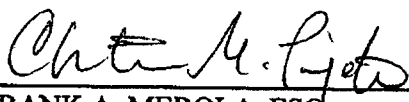
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